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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,271	11/30/2001	Alain Delpuch	OTV-1021-US	1037
44015	7590	10/05/2005	EXAMINER	
OPTV/MEYERTONS THE CHASE BUILDING 700 LAVACA, SUITE 800 AUSTIN, TX 78701			BROWN, RUEBEN M	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/980,271	Applicant(s) DELPUCH	
	Examiner Reuben M. Brown	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4430101; 112001; 54102</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 & 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casement, (U.S. Pat # 5,969,748), in view of Urakoshi, (U.S. Pat # 6,067,564).

Considering claim 1, the claimed system for authenticating a PIN code of a user in an interactive information system in order to run an application, comprising;

‘an input means for PIN entry’, is met by the keyboard or remote control operations buttons shown in input device of Casement, (col. 3, lines 44-64).

‘security manager means for comparing the PIN code of the user upon request for user authentication from the application with a registered PIN code, and giving authorization to run the application if the PIN code of the user matches the registered PIN code’, is met by the disclosure of Casement, col. 7, lines 31-67 & Fig. 6, which disclose an authorization process.

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‘display means for displaying graphics for displaying an PIN entry field, such that the request for user authentication is provided on the display means with the look & feel of the application’, is met by the disclosure of Casement, shown in Figs. 2F & 2G.

‘emitting means for entering crypted digits in the PIN entry field upon the user entering the PIN code’, Casement shows, asterisks in place of the password, but does not explicitly state whether this is an example. However, Urakoshi, which is in the same field of endeavor, discloses that when the password is being entered, the password is not displayed; see col. 4, lines 35-41. Figs. 3-5 show the password as asterisk, so that the actual digits are not displayed, as opposed to the username(s), which are displayed. It would have been obvious for one of ordinary skill in the art at the time the invention was made to not allow the passwords to be shown, as disclosed by Urakoshi, for the desirable improvement of keeping the subscriber’s password confidential even if another person is in the room and observes the password being entered.

‘security means arranged to give authorization to run the application after full entry of the crypted digits and if the PIN code of the user is identical to the registered PIN code’ is met by the operation of Casement (Fig. 6) & Urakoshi; col. 6, lines 15-21.

Considering claims 2 & 7, Casement is directed to restricting access to TV programming using passwords.

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Considering claim 4, the claimed method for authenticating a PIN code of a user, comprising elements that correspond with subject matter mentioned above in the rejection of claim 1, are likewise treated.

Considering claim 5, the claimed steps of;

‘presenting a PIN entry field’, is shown in Casement, Figs. 2G.

‘asking the security manger to enter a PIN entry mode’ is met by the display of Fig. 6, which shows the PIN entry routine.

‘input means comprising keys and checking if keys are pressed by the user’, is met by the input means, Casement, col. 3, lines 44-65 & Fig. 6.

‘while keys are pressed giving feedback in entering crypted digits in PIN entry field’, is met by the disclosure of Urakoshi, as discussed in the rejection of claim 1.

‘if the user is authenticated by the security manger means, giving authorization to display the application’, is also met by the routine shown in Fig 6 (260).

Considering claim 6, the additional claimed feature of ‘waiting for a key to be pressed by the user’ and ‘upon occurrence of the <ending key> checking if a release occurs, and then checking the entered PIN against the stored PIN’, is met by the disclosure in Casement that after the user enters the password, and then pressed the Select key, in order for the password to be verified, col. 5, lines 20-36.

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3. Claims 3 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casement & Urakoshi, further in view of Daly, (U.S. Pat # 5,578,394).

Considering claims 3 & 8, Casement does not discuss using a password to restrict access to a mobile telephone. Nevertheless, Daly provides a teaching of requiring a valid password entry before a mobile phone is operable, see Abstract; col. 3, lines 50-67 thru col. 4, lines 1-45. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Casement with the teachings of Daly, authenticating a user of a mobile telephone, for the known purpose of ensuring authorization of the instant telephone.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Garneau Restricts access to TV programming based on a valid password.

B) West Requires valid PIN to set-up ratings level on CATV system.

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Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
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or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown


REUBEN M. BROWN
PATENT EXAMINER